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Certificate of Facsimile Transmission

I hereby certify that the following Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing (37 CFR 1.137(f)), along with PTO Form 2038, is being facsimile transmitted to the Patent and Trademark Office (703) 308-6916 on the date shown below. (Total pages transmitted is 3-including this one).


Marissa Thomas

Date: 7/28/03PATENT APPLICATION
Do. No. 9604-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Zimmerman et al.

Serial No. 09/935,147

Examiner: Carolyn A. Paden

FAX RECEIVED

Confirmation No. 8843

JUL 28 2003

Filed: August 21, 2001

Group Art Unit: 1761

PETITIONS OFFICE

For: METHOD AND APPARATUS FOR APPLYING DRY TOPPINGS TO BAKED GOODS

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF
A FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f))Attn: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

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PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF
THIS APPLICATION UNDER 37 CFR 1.137(b).

1. Petition fee:

- ☒ Small entity fee \$650 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
☐ Large entity fee \$1,300 (37 CFR 1.17(m))

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently filed foreign or international application is August 19, 2002.

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

3. ☐ Additional sheets containing statements establishing unintentional delay.
☐ Other _____

4. Fee Payment:

- ☒ PTO Form 2038 authorizing credit card payment for the above-listed fees is enclosed.
☒ Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.

Respectfully submitted,



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PATENT TRADEMARK OFFICE

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